

RESPONSE UNDER 37 CFR 1.116
EXPEDITED PROCEDURE

Group Art Unit: 3634
Confirmation No.: 7519
Examiner: Bradford, C.

Atty. Ref.: Bugnion-4

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant : Claude Andre Pierre Requet
Appl. No. : 10/535,586
Filed : June 29, 2005
For : BUILDING DOOR CONSISTING OF SEVERAL MUTUALLY
ARTICULATED PANELS

MS AF
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

REQUEST FOR RECONSIDERATION

Sir:

This Request for Reconsideration is submitted in response to the final rejection dated July 18, 2008.

Claims 1, 6-10, 12-20, 22 and 23 were rejected under 35 USC 102(b) as being anticipated by Pettersson et al. (US 6,276,428). The Examiner identified the elements of the Pettersson et al. reference that were considered to correspond to the claimed invention. In this regard, the Examiner stated that the Pettersson et al. reference discloses a moveable building door made of panels 12, with each panel having interior and exterior walls and two opposite longitudinal edges 14, 16 that extend

parallel to one another and substantially normal to a direction of movement of the respective panel. The Pettersson et al. reference explains that each panel has a convex member 20 at the longitudinal edge 14 and a concave member 18 at the longitudinal edge 16. The Examiner also states correctly that Pettersson et al. teaches axes of pivoting 32, 34.

The detailed Office Action recites many of the limitations in the claims. However, the Office Action does not mention that the claims specifically state that the building door is “characterized in that the axes (10) of pivoting of the pivot elements (9) are closer to the interior walls (6) of the panels to which they are articulate than to the exterior walls (7) thereof.” All of the figures of Pettersson et al. clearly show that the pivot axes 32 and 34 are perfectly symmetrically disposed between the interior and exterior surfaces of the door panels. As a result, the Pettersson et al. reference clearly does not teach the above-quoted limitation of each of the claims. Furthermore, there is nothing in the Pettersson et al. reference that would suggest redesigning the Pettersson et al. panels so that the pivot axes 32 and 34 thereof are closer to the interior surfaces of the panels than to the exterior surfaces thereof.

Conceivably, the Examiner could be asserting that the “exterior wall” identified in the annotated copy of FIG. 2 of Pettersson et al. provided in the Office Action is not flush with the maximum outer position of the corresponding panel. However, claim 1 further states that “no part of any of the pivot elements projects beyond the interior and exterior walls of the respective panels.” The pivot elements are defined as being connected to the parallel transverse surfaces of the panel and would correspond roughly to the end pieces 22 of Pettersson et al. However, the edges of the end pieces 22 of Pettersson et al. project beyond the surface that the Examiner defines

as the exterior wall in the annotated copy of FIG. 2 of Pettersson et al. Thus, if the Examiner were to stretch Pettersson et al. to meet the limitations that “the axes (10) of pivoting of the pivot elements (9) are closer to the interior walls (6) of the panels (5) with which they articulate than to the exterior wall (7)” then the Pettersson et al. reference will failed to teach or suggest the limitation that “no part of the pivot elements projects beyond the interior and exterior walls of the respective panels”.

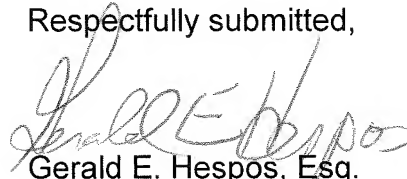
A proper rejection under 35 USC 102(b) requires the reference to have each of the limitations in the rejected claims. As explained above, the Pettersson et al. reference clearly does not have the above-quoted limitations of claim 1, and hence it is submitted that the Pettersson et al. reference does not anticipate claim 1 or its dependent claims 6-10 and 13. Additionally, there is nothing in Pettersson et al. that would lead the skilled artisan from the Pettersson et al. reference to the invention defined by previously presented claim 1 and its dependent claims 6-10, 12 and 13.

Independent claim 14 includes the above-quoted limitation that “the axes (10) of pivoting of the pivot element (9) are closer to the interior walls (6) of the panels (5).” As explained above, the Pettersson et al. reference does not meet this limitation. Independent claim 14 further recites that “each of the pivot elements (19) has a plurality of apertures (17) aligned with tappings in the transverse edges”. The Pettersson et al. reference does not teach a structure where each of the pivot elements (22) has a plurality of apertures “aligned with tappings in the transverse edges.” Rather, each of the Pettersson et al. panels has a generally C-shaped channel and the elements (22) are mounted slideably in the channel and retained in the channel by some form of snapped connection that is not shown (col. 4, line 26). Nothing in Pettersson et al.

suggests the very significant redesign that would be require to bring Pettersson et al. closer to the invention of claim 14.

The Examiner is requested to reconsider the final rejection in view of the preceding comments and to allow the currently rejected claims.

Respectfully submitted,

A handwritten signature in dark ink, appearing to read "Gerald E. Hespos", is written over the typed name.

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